

Marquis Aurbach

Craig R. Anderson, Esq.

Nevada Bar No. 6882

10001 Park Run Drive

Las Vegas, Nevada 89145

Telephone: (702) 382-0711

Facsimile: (702) 382-5816

canderson@maclaw.com

Attorneys for Defendants LVMPD, Kerry Kubla, Brice Clements, Alex Gonzales, Russell Backman, James Rothenburg, James Bertuccini and Melanie O'Daniel

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LATIA ALEXANDER, individually as heir
of ISIAAH T. WILLIAMS, and in her
capacity as Special Administrator of the
Estate of ISIAAH T. WILLIAMS,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a political subdivision of
the State of Nevada; KERRY KUBLA, in his
individual capacity; BRICE CLEMENTS, in
his individual capacity; ALEX GONZALES,
in his individual capacity; RUSSELL
BACKMAN, in his individual capacity;
JAMES ROTHENBURG, in his individual
capacity; JAMES BERTUCCINI, in his
individual capacity; MELANIE O'DANIEL,
in her individual capacity and DOES I-XX,
inclusive,

Defendants.

Case Number:
2:24-cv-00074-APG-NJK

**STIPULATION AND ORDER TO
CONTINUE DISCOVERY DEADLINES
(FIRST REQUEST)**

Defendants Las Vegas Metropolitan Police Department ("LVMPD"), Kerry Kubla, Brice Clements, Alex Gonzales, Russell Backman, James Rothenburg, James Bertuccini and Melanie O'Daniel ("LVMPD Defendants"), by and through their counsel, Marquis Aurbach, and Plaintiff Latia Alexander, individually as heir of Isaiah T. Williams, and in her capacity as Special Administrator of the Estate of Isaiah T. Williams ("Plaintiff"), by and through her counsel of record, Breeden & Associates, PLLC, hereby file their Stipulation and Order to Extend Discovery Deadlines (First Request) by ninety (90) days pursuant to LR II 26-4. The present discovery cutoff date is February 5, 2025.

MARQUIS AURBACH

10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

1 **I. DISCOVERY COMPLETED**

2 1. On March 12, 2024 this Court entered the original Discovery Plan and
3 Scheduling Order. (ECF No. 19)

4 2. Plaintiff served her initial FRCP 26(a)(1) disclosure.

5 3. The LVMPD Defendants served their initial FRCP 26(a)(1) disclosure.

6 4. The parties have both served and responded to several rounds of written
7 discovery. To explain to the Court, due to several defendants in this case, several hundred
8 requests have been made and responded to by the Parties, written discovery is voluminous.

9 5. The LVMPD Defendants have supplemented their disclosure statement seven
10 (7) times and produced 17,000 pages of documents and over 8 hours of body worn camera
11 video.

12 6. Plaintiff has produced an additional six (6) supplemented disclosures,
13 approximately 2,000 pages of documents and 39 witnesses.

14 7. In August 2024, Plaintiff amended her complaint to include a new defendant,
15 Melanie O'Daniel.

16 8. Defendant O'Daniel answered in late August 2024.

17 9. The LVMPD Defendants have taken the deposition of Plaintiff.

18 10. Plaintiff has deposed defendants Gonzales, Bertuccini, Rothenberg,
19 Backman, Clements, Kubla and O'Daniel.

20 11. The parties recently timely disclosed expert witnesses.

21 **II. DISCOVERY TO BE COMPLETED**

22 1. Plaintiff is taking the deposition of Det. Justin Roth on January 8, 2025.

23 2. The LVMPD Defendants are taking the deposition of Plaintiff's expert
24 Gilbertson on January 21, 2025.

25 3. Plaintiff is taking the deposition of the LVMPD Defendants' expert Spencer
26 Fomby on January 27, 2025, in Austin, Texas.

4. Plaintiff is taking the deposition of LVMPD's Rule 30(b)(6) witness in February 2025.

5. The LVMPD Defendants are responding to Plaintiff's third set of written discovery.

6. The LVMPD Defendants need to notice and take the deposition of Plaintiff's recently identified rebuttal experts.

III. REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE COURT

The parties agree, pursuant to Local Rule 6-1, that good cause exists for the requested extension. The primary reason for this request is for the Parties to complete expert discovery. The parties have contacted their experts regarding rebuttal reports and deposition dates. Some of the experts have asked for extensions to submit rebuttal reports. The only remaining issue is the taking of the LVMPD Defendants' Rule 30(b)(6) deposition. This deposition cannot place until the end of February 2025. The deposition transcript will be required to draft and file dispositive motions. The parties agree a 60-day extension will allow these final depositions to occur and the transcripts to be received in time for dispositive motion filings.

IV. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY:

	EXISTING DEADLINES	PROPOSED
Close of Discovery	February 5, 2025	April 5, 2025
Final Date to Amend Pleadings/Add Parties	Passed	
Initial Expert Disclosures Deadlines	Passed	
Rebuttal Expert Disclosure Deadline	Passed	
Final Date for Dispositive Motions	March 5, 2025	May 5, 2025

Pretrial Order	April 7, 2025	June 7, 2025
-----------------------	----------------------	---------------------

IT IS SO STIPULATED this 7th day of January, 2025.

MARQUIS AURBACH

BREEDEN & ASSOCIATES, PLLC

By: s/Craig R. Anderson
 Craig R. Anderson, Esq.
 Nevada Bar No. 6882
 10001 Park Run Drive
 Las Vegas, Nevada 89145
 Attorney for Defendants

By: /s/ Adam Breeden
 Adam Breeden, Esq.
 Nevada Bar No. 8768
 7432 W. Sahara Ave, Ste 101
 Las Vegas, Nevada 89117
 Attorney for Plaintiff

ORDER

IT IS SO ORDERED.

Dated this __ day of January, 2025.

 UNITED STATES MAGISTRATE JUDGE

MARQUIS AURBACH
 10001 Park Run Drive
 Las Vegas, Nevada 89145
 (702) 382-0711 FAX: (702) 382-5816